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<b>To:</b> Examiner Shengjun Wang	<b>From:</b> Leslie S. Szivos, Ph.D.
<b>Fax:</b> 703-872-9306	<b>Pages:</b>    pages including cover sheet
<b>Phone:</b>	<b>Date:</b> 2/3/2005
<b>Re:</b> U.S. Serial No. 09/777,544 Group Art Unit: 1617 Filed: February 6, 2001 Docket No. 14186	<b>CC:</b>

☐ **Urgent**    ☐ **For Review**    ☐ **Please Comment**    ☐ **Please Reply**    ☐ **Please Recycle**

**• Comments:**

Attached hereto:

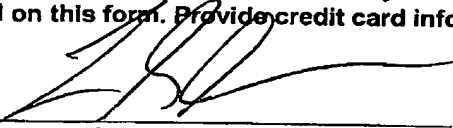
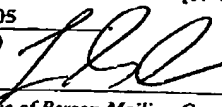
1. Amendment Under 37 C.F.R. §1.111
2. Declaration of Thomas Dietz Under 37 C.F.R. §1.132
3. General Transmittal Letter (in duplicate)

Which is a resubmission of documents that were submitted on January 18, 2005.

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<b>TRANSMITTAL LETTER</b> (General - Patent Pending)				Docket No. <b>14186</b>	
In Re Application Of: <b>Thomas Dietz, et al.</b>					
Application No. <b>09/777,544</b>	Filing Date <b>February 6, 2001</b>	Examiner <b>Shengjun Wang</b>	Customer No. <b>23389</b>	Group Art Unit <b>1617</b>	Confirmation No. <b>14186</b>
Title: <b>COSMETIC AND PHARMACEUTICAL OIL-IN-WATER EMULSIONS</b>					
					<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b> <b>FEB 03 2005</b>
<u>COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is:  <b>Amendment Under 37 C.F.R. §1.111</b> <b>Declaration of Thomas Dietz Under 37 C.F.R. §1.132</b>					
in the above identified application.					
<input checked="" type="checkbox"/> No additional fee is required.					
<input type="checkbox"/> A check in the amount of _____ is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <b>19-1013/SSMP</b> as described below.					
<input type="checkbox"/> Charge the amount of _____					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional fee required.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>					
 _____ Signature			Dated: <b>January 18, 2005</b>		
Leslie S. Szivos Registration No. 39,394					
<div style="font-size: small;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</div> <div style="text-align: center;">01/18/05 (Date)</div> <div style="text-align: center;"> _____ Signature of Person Mailing Correspondence</div> <div style="text-align: center;">Leslie S. Szivos, Ph.D. Typed or Printed Name of Person Mailing Correspondence.</div>					

cc:

P16A/REV03

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FEB 03 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Applicant(s):** Thomas Dietz, et al.**Examiner:** Shengjun Wang**Serial No:** 09/777,544**Art Unit:** 1617**Filed:** February 6, 2001**Docket:** 14186**Dated:** January 18, 2005**For:** COSMETIC AND PHARMACEUTICAL OIL-IN-WATER EMULSIONS**Confirmation No.:** 7213Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**AMENDMENT UNDER 37 C.F.R. § 1.111**

Sir:

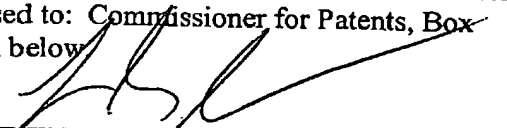
In response to the Final Rejection dated July 13, 2004 and in connection with the Advisory Action dated November 3, 2004, applicants submit the following remarks for consideration by the Examiner. Applicants observe that a Request for Continued Examination (RCE) is being filed concurrently with this Amendment.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450 on the date set forth below

Dated: January 18, 2005

  
\_\_\_\_\_  
Leslie S. Szivos, Ph.D.**BEST AVAILABLE COPY**